GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Dr.V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa and now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of Charges - Issued.

LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.Rt.No.159 Dated:11.05.2022

Read the following:

1. From the DG, (V&E) & E.O. Prl. Secy. to Govt. VR.No.1, (C.No. 2982/V&E/ Sec.II/D2/2019-1&2&836/V&E/Sec.II/D2/2019-1) Dt.03.01.2020.
2. From the Director of Insurance Medical Services, A.P., Vijayawada Lr.Rc.No.1625923/SM/DIMS/2022, dated:15.03.2022
3. G.O.Ms.No. 14 , LFB &IMS (IMS & VIG) Dept., Dt.11.05.2022.

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ORDER

In pursuance of the sanction accorded by the Government in the reference 3rd read above, it is proposed to hold an inquiry against Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon, ESI Dispensary, Tirupathi (Retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the Articles of charges are proposed to be sustained are also enclosed (Annexure- III&IV).

3. Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon, ESI Dispensary(Retired), Tirupathi is directed to submit within 10 days of the receipt of this Government Order a written statement of his defense and also to state whether he desires to be heard in person.

4. Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi is informed that an Inquiry will be held only in respect of those articles of charges are not admitted. He should therefore, specifically admit or deny the each article of charge.

5. Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, or does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon (Retired), ESI Dispensary, Tirupathi is invited to Rule 24 A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on him behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

(P.T.O)

8. The receipt of this Government Order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon (Retired), ESI Dispensary, Tirupathi through the Director, Insurance Medical Services, Andhra Pradesh, Vijayawada.
Copy to:
TheDirector, Insurance Medical Services, Andhra Pradesh, Vijayawada with a request to serve the Articles of charge on the individual and furnish the dated ACK. of served copy for record.

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - I

Statement of Article of Charges framed against Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi.

That the said Dr. V. Janardhan, Deputy Civil Surgeon, ESI Dispensary(Retired), Tirupathi the then Joint Director, Insurance Medical Services, Kadapa from 26-05-2017 to 29-06-2018, had committed the grave misconduct and irregularities as mentioned in the article of charges.

Article of Charge -1

That Dr. V. Janardhan while working as Joint Director, Insurance Medical Services, Kadapa, he has prepared 24 indents directly by himself and submitted the same to the Director, IMS, Vijayawada, on which the Director, IMS, Vijayawada has sent medicines and others to a tune of Rs.52,43,33,612/- along with purchase orders which is in contrary to G.O.Ms. No. 51.

By his above mentioned acts, he has exhibitedlack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming ofa Government Servant and hereby violated Rule 3(i)ofthe APCivilServices(Conduct)rules,1964.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - II

Statement of imputations of misconduct and irregularities in support of Article of Charges framed against Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi.

The Vigilance & Enforcement officials have enquired regarding the misappropriation in the Directorate of Insurance Medical Services, Andhra Pradesh, Vijayawada in procurement of Drugs, Medical Equipment, Biometric Machines, Furniture, engaging the services of call center and ECG Test through M/s. Tale Health Services and establishment of Sewage Treatment plants at 03 Hospitals and one Diagnostic Center through M/s. Jalam Environmental Pvt Ltd., during the tenure of previous three I/c. Directors of Insurance Medical Services i.,e Dr. B. Ravi Kumar (01-11-2014 to 05-07-2016), Dr. C.K. Ramesh Kumar (06-07-2016 to 01-11-2017) and Dr. G. Vijaya Kumar (02-11-2017 to 07-05-2019) and submitted report to the Government. The following are the lapses, irregularities noticed during the enquiry.

1. The Department of Labour, Employment, Training & Factories (IMS) formulated the comprehensive policy guidelines for purchase of Drugs & Medicines and Medical equipment in Insurance Medical Services Department vide G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept,.

As per the said GO, Director of Insurance Medical Services shall obtain indents from the in-charge Medical Officers of the Dispensaries routed through Joint Directors concerned and purchasing system shall be centralized at the Directorate level.

There are guidelines in the G.O.Ms.No.51, Dt.09.04.2012 that the Director has to obtain indents from dispensaries well in advance. Further, as per ESIC guidelines No.U-16/52/2001/Med-III (AP), Dt.22.11.2016, the annual requirement of drugs & dressings are to be worked out by Medicines Scrutiny Committee based on the last consumption of three (03) years and current trends.

During his tenure as Joint Director, Insurance Medical Services, A.P., Kadapa, he has placed regular indents and emergency indents. Usually, regular indents will be placed in every quarterly i.e., April, July, October & January every year. Regular indents are placed for a period of 3 months expenditure of dispensaries in the region i.e., 28 dispensaries. During the year 2017-18, he had placed twenty four (24) indentsdirectly by himself without getting indents from Dispensaries.

The following table showing the drugs received by Dispensaries / Hospitals / Panel clinics without indents and over & above the indented items.

Sl. No.	District	Drugs received without indent(Crs)	Drugs received over & above indented items (Crs)
1.	SPSR Nellore	23.35	1.78
2.	Chittoor	5.11	0.17
3.	Anantapuram	3.62	0.79
4.	Kurnool	13.26	0.00
5.	Kadapa	8.13	0.82

The ESI Dispensary, Ananthapuram received Rs.3.19 Cr worth drugs without indents and over & above the indented items. The ESI Dispensary, Guntakal received Rs. 1.06 Cr worth drugs without indents and over & above the indented items. The ESI Dispensary, Tadipatri received Rs. 1.80 Cr worth drugs without indents and over & above the indented items.

The Joint Directors (Dr.V.V.KrishnaKumari, Dr.V.Janardhan and Dr.B.Chandra Sekhar), Kadapa, during their tenure, they placed indents worth 106.59 Cr (Rs.45.80 Cr Non RC drugs + Rs.60.79 Cr RC Drugs) without receiving any indents from 28 dispensaries in order to get huge commissions from the Non RC firms in violation of G.O.51.

From this, it is evident that he has exhibitedlack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming ofa Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules,1964.

Hence, the charges.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - III

List of documents on the basis of which the Article of Charges framed against Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon(Retired), ESI Dispensary, Tirupathi (Retired).

1. G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept.
2. Circular No.13/CDS/2014, Dt.31.05.2016 of the Director, Insurance Medical Services
3. Purchase procedure guidelines of ESIC vide LR.NO.U-16/52/2001/MED-III (AP), dt.22.11.2016.
4. Letter Rc. No.37/Stores/JDIMS /KDP/2018 Dt. 07.08.2019 & 01.10.2019 of JD, Kadapa addressed to DIMS
5. Vigilance Report No. 01 (C.No. 2982/V&E/Sec-II/D2/2019-1,2& 836/DG/V&E/Sec-II/D2/2019) Dt. 03.01.2020 of the Director General (V&E) & E.O. Prl. Secretary to Government, General Administration (Vigilance & Enforcement) Department.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - IV

List of witness by whom the Article of Charges framed against Dr. V. Janardhan the then I/c Joint Director, Insurance Medical Services, Kadapa now Deputy Civil Surgeon, (Retired) ESI Dispensary, Tirupathi.

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G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER